



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/849,653	05/04/2001	Katsuakira Moriwake	450108-4484.1	9010
20999	7590	04/03/2006	EXAMINER	
FROMMER LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			MUHEBBULLAH, SAJEDA	
			ART UNIT	PAPER NUMBER

2174

DATE MAILED: 04/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/849,653	Applicant(s) MORIWAKE ET AL.	
	Examiner Sajeda Muhebbullah	Art Unit 2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on Amendment filed 1/11/06.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 143-148 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 143-148 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### DETAILED ACTION

1. This communication is responsive to Amendment filed 1/11/2006.
2. Claims 143-148 are pending in this application. Claims 143 and 146 are independent claims. This action is Final.

### *Claim Rejections - 35 USC § 103*

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 143, 145-146, and 148 are rejected under 35 U.S.C. 103(a) as being unpatentable over McKay et al. ("MacKay", US 5,148,154) and Yaegashi et al. ("Yaegashi" US 5,956,453).

As per claim 143, MacKay teaches an editing system for editing a plurality of clips, comprising:

editing means for editing said plurality of clips to produce said edit resultant clip (col.4, lines 60-66), comprising:

an edit module for edit processing said plurality of clips (col.4, lines 60-66);

a composite module for composite processing said plurality of clips (col.4, lines 60-66);

and

a special effect module for special effect processing said plurality of clips (col.4, lines 60-66);

wherein said editing means produces module identification information indicating the processing to be performed on said plurality of clips by said edit module, said composite module, and said special effect module in producing said edit resultant clip (col.11, lines 27-38); and

user interface means for displaying and controlling graphical user interfaces corresponding to processing performed by said edit module, said composite processing module, and said special effect module (col.13, lines 1-10).

However, MacKay does not teach link information indicating a tree structure for linking said plurality of clips in producing said edit resultant clip and a clip tree window for graphically displaying said tree structure for said plurality of clips, wherein said clip tree window displays a clip name for each clip in said tree structure indicating whether the clip is a material clip or a resultant clip. Yaegashi teaches an editing system for editing clips that graphically represents the clips in a tree structure for linking the clips together, wherein the window displays a clip name for each clip indicating whether the clip is a material clip or a resultant clip (Yaegashi, Fig. 1, col.4, lines 3-11; Fig.6B, col.7, lines 29-35). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Yaegashi's teaching with MacKay's system in order to provide access to clips for easier and faster editing.

As per claim 145, Yaegashi teaches the current clip to be edited from said clip tree window to be graphically designated in said clip tree window (Yaegashi, Fig. 1, col.4, lines 3-11; Fig.6B, col.7, lines 29-35).

Independent claim 146 is similar in scope to independent claim 143, and is therefore rejected under similar rationale.

Claim 148 is similar in scope to claim 145, and is therefore rejected under similar rationale.

5. Claims 144 and 147 are rejected under 35 U.S.C. 103(a) as being unpatentable over MacKay et al. ("MacKay", US 5,148,154) and Yaegashi et al. ("Yaegashi" US 5,956,453) in view of Takahashi et al. ("Takahashi", US 5,537,528).

As per claim 144, the system of MacKay and Yaegashi teaches an editing system wherein information relating to each of said plurality of clips is registered in a storage device (Yaegashi, col.1, lines 54-60; col.6, lines 5-12). However, the system of MacKay and Yaegashi does not teach wherein the information is stored in a clip database. Takahashi teaches a system of editing a plurality of clips wherein information relating to each of the clips is registered in a database (Takahashi, col.8, lines 38-42). It would have been obvious to one of ordinary skill in the art at the time of the invention to include Takahashi's teaching with the system of MacKay and Yaegashi in order to provide an alternatively efficient means of storage.

Claim 147 is similar in scope to claim 144, and is therefore rejected under similar rationale.

#### ***Response to Arguments***

6. Applicant's arguments with respect to Amendment filed 1/11/2006 have been considered but are moot in view of the new ground(s) of rejection.

#### ***Conclusion***

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

*Communications*

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajeda Muhebbullah whose telephone number is (571) 272-4065. The examiner can normally be reached on Tuesday/Thursday and alt. Mondays from 8:00 am to 4:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The central fax number for the organization where correspondence for this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Sajeda Muhebbullah*  
*Patent Examiner*  
*Art Unit 2174*

  
KRISTINE KINCAID  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100